

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEN SMITH,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

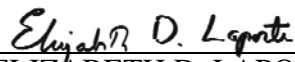
No. C-06-00254 EDL

**ORDER DIRECTING PARTIES TO
MAKE LINDA FREDIANI AVAILABLE
AT HEARING ON MOTION TO
REMAND**

In conjunction with his reply in support of his motion to remand, Plaintiff Ken Smith filed a declaration by Linda Frediani. Defendant Hearst Communications, Inc. then filed a second declaration by Ms. Frediani, without seeking permission to file the second declaration as required by Local Rule 7-3(d). More importantly, the second declaration appears to be inconsistent in material respects with the first declaration. The Court accordingly orders the parties to make Ms. Frediani available in Court at the March 28, 2006 hearing on Plaintiff's motion to remand.

IT IS SO ORDERED.

Dated: March 24, 2006


ELIZABETH D. LAPORTE
United States Magistrate Judge